

**REMARKS**

The Office Action of September 26, 2003 has been received and its contents carefully noted.

The Office Action rejects independent claims 1, 5 and 15 (along with several dependent claims) for anticipation by US patent 6,119,018 to Kondo, and it also rejects independent claim 14 (and various dependent claims) for obviousness on the basis of the same reference. For the reasons discussed below, however, it is respectfully submitted that the invention defined by the independent claims is patentable over this reference.

The Kondo reference is directed to an arrangement for controlling hand-off between base stations in a CDMA communication system. Kondo's Figure 7 shows a radio base station 12-1 having a **plurality** of channel control sections (30-1-1, 30-1-2, and so on). The passage at column 15 of the reference, lines 7-17, indicates that the first channel control section (number 30-1-1, in the transmission power control section 34-1) generates a signal flowing along a channel based on a comparison between information extracted from a signal received by a first receiver and a reference signal. Each of Kondo's channel control sections includes a transmission power control section 34. This means that each of Kondo's channel control sections needs to have its own transmission power control section. That is, Kondo's base station requires the same number of transmission power sections as there are channel control sections (data).

Independent claim 1 provides that first and second coded data are multiplexed, and then transmitted to another communication station at a first transmission power level and a second transmission power level, respectively. The claim then recites, "**a transmission**

**power controller for receiving transmission power control information from the other communication station and for controlling one of the first transmission power level and the second transmission power level independently of the other.”** It is respectfully submitted that Kondo’s arrangement, which has a transmission power control section for each data stream, neither discloses nor suggests such a transmission power controller.

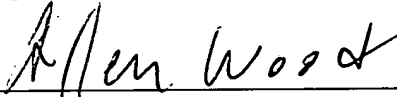
Independent claim 5 recites “a control information generator for generating transmission power control information based on the first data and the second data received by the receiver, the transmission power control information causing control of one of the first transmission power level and the second transmission power level independently of the other.” Independent claim 14 recites “a transmission power controller for controlling one of the first transmission power level and the second transmission power level independently of the other, based on the separated transmission power control information.” Finally, independent claim 15 provides that a first communication station receives transmission power control information from a second communication station, and “controls one of the first transmission power level and the second transmission power level independently of the other based on the transmission power control information.” For reasons along the lines discussed above with respect to claim 1, it is respectfully submitted that the recitations in claims 5, 14, and 15 that are quoted above, in conjunction with the other features specified in these claims, render them patentable over the Kondo reference.

Since the remaining claims depend (directly or indirectly) from the independent claims discussed above and recite additional limitations to further define the invention, it is

respectfully submitted that they are patentable along with their independent claims and need not be further discussed.

For the foregoing reasons, it is respectfully submitted that the application is now in condition for allowance. Reconsideration of the application is therefore respectfully requested.

Respectfully submitted,



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